



Testimony by Bob Spada

S.B. 54

Board Member - National Alliance on Mental Illness of Ohio

Ohio Senate Judiciary Committee

Wednesday, June 12, 2019

Thank you Chairman Eklund, Vice Chairman Manning, Ranking Member Thomas and members of the Ohio Senate Judiciary Committee for the opportunity to testify before you today on S.B. 54.

My name is Bob Spada and I am here representing the National Alliance on Mental Illness of Ohio. For those of you who are not familiar with NAMI Ohio, we represent the voice of over 525,000 individuals living with serious mental illness, including schizophrenia, bipolar disorder and major depression and their families. In addition to being a member and past president of the NAMI Ohio Board, I am a previous member of NAMI National's Board of Trustees.

As I have indicated in previous testimony before this committee when similar legislation was under consideration, the majority of people with serious mental illness are not violent. In fact, according to the National Institute of Mental Health, individuals suffering from major brain disorders are eleven times more likely to be victims of crime than perpetrators of a crime. However, lack of appropriate treatment can exacerbate the symptoms of serious mental illness and lead to negative outcomes such as homelessness, suicide, and criminal behavior. When violent tragedies do occur in which the perpetrator had a mental illness, it can often be traced back to a break down in the mental health system. It is not uncommon for such individuals who need hospital level of care to be rejected or discharged back to the community prematurely.

With that in mind, it is evident that the death penalty is not the answer to the problem of violence committed by persons with serious mental illness. The better policy is to enhance access to appropriate mental health care. One day, we will

look back and be ashamed that we let individuals with serious mental illness be executed.

There is widespread support for Senate Bill 54. In fact, NAMI Ohio is just one of many mental health advocacy organizations supporting this bill. Other organizations include the Mental Health and Addiction Advocacy Coalition; Ohio Psychological Association; National Association of Social Workers' Ohio Chapter; Ohio Council of Behavioral Health & Family Services Providers; Ohio Association of County Behavioral Health Authorities and the Treatment Advocacy Center. Collectively, these organizations believe that individuals with serious mental illness who commit violent crimes while in the grip of a psychotic delusion or hallucination lack judgment, understanding or self-control and therefore are less blameworthy. However, that is not to say that they should not spend the rest of their lives in prison.

In keeping with the recommendation by the Ohio Supreme Court's [Joint Task Force to Review the Administration of Ohio's Death Penalty](#), which passed by a task force vote of 15 – 2, S.B. 54 exempts from the death penalty defendants who, at the time of the offense, had a serious mental illness. However, the bill in no way absolves defendants of legal responsibility for their crimes. It simply aligns sentencing with culpability in a more appropriate way.

As a former member of this body, as well as a father of a son with serious mental illness, I urge you to pass this bill without delay. You know that the decisions that we have all made as members of the Ohio Senate are often difficult and complex. After thoroughly examining this issue, I believe that S.B. 54 clearly corrects a significant problem with the way Ohio's criminal justice system treats people with serious mental illness. It is time to correct the problem, as our calling to public service to this great state compels us.

Thank you again for this opportunity to testify on this important bill. I urge you to pass this bill out of committee once and for all.